AUG 14 1997
CLERK

No. 97-63

In the
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1996

Creative Strategy Fund I, and
Creative Strategy, Inc., Petitioners

v.

Prudential Securities, Inc., Respondent

On Petition for a Writ of Certiorari to the
United States Court of Appeals
for the Eleventh Circuit

REPLY OF PETITIONER IN SUPPORT OF PETITION FOR A WRIT OF CERTIORARI

William Sumner Scott
Counsel of Record

The Scott Law Firm, P.A.
5121 Sarazen Drive
Hollywood, FL 33021
(954) 964-1546
Facsimile (954) 964-1548

Counsel for the Petitioners

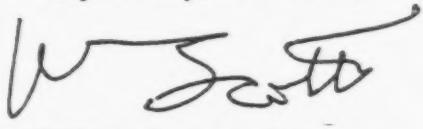
THE FUND BY WRITTEN DIRECTION LIMITED THE AMOUNT TO BE PLACED AT RISK TO $15,000

On page 14, in the second full paragraph, of its Brief in Opposition to Petition for Certiorari, Prudential states: "As a result of having placed every cent at risk and having then lost, this speculator had no money left to hire outside counsel or pay the double-bond required to perfect its appeal from the CFTC Order under 7 U.S.C. Section 18(e)."

The truth is the Fund directed Prudential to place only $15,000 at risk in the account which had a power of attorney granted to the independent commodity trading advisor. It was Prudential's undisclosed, unauthorized, unilateral, use of $50,733.34 in the separate, segregated cash account as margin for the positions placed by the commodity trader directly to Prudential which caused the $166,820.27 loss in the $15,000 account.

The fraudulent misstatement by Prudential quoted above is the justification Prudential has used to, thus far, abuse the alternative dispute resolution process to justify the theft of all of the money of the Fund which was on deposit at Prudential and also prevent the Fund from the presentation of its case to the Courts. The alternative dispute resolution process and access to the courts deserve the grant of this Petition to ultimately prevent these abuses. Particularly since the Commodity Exchange Act, which block access to the courts also specifically grants the exclusive authority to Prudential to hold the money of the Fund.

Respectfully, submitted,



5121 Sarazen Drive
Hollywood, Florida 33012

William Sumner Scott
Counsel for the Petitioners

(954) 964-1546
Facsimile (954) 964-1548